



TELECOM CERTIFICATION & FILING, INC

485 MADISON AVENUE

NEW YORK, NEW YORK 10022-5803

TEL (212) 546-9090

FAX (212) 753-8101

e-mail: dklein@telfile.com

ORIGINAL

February 8, 2001

VIA FEDERAL EXPRESS

Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

DEPOSIT

DATE

DOCS

FEB 12 2001

Re: Local Telcom Holdings, LLC

010199-77

Dear Sir or Madam:

Enclosed for filing, please find one original and six (6) copies of Local Telcom Holdings, LLC's Application form for authority to provide interexchange telecommunications service between points within the State of Florida. In addition, please find check no. 8463 in the amount of Two Hundred Fifty Dollars (\$250.00) to cover the application fee.

At your earliest convenience, please date stamp the copy of this cover letter and return to the above-referenced address in the enclosed postage prepaid self-addressed envelope.

Should you have any questions, or require additional information, please contact the undersigned at your convenience.

Sincerely,

Alice Rodriguez  
Project Manager

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PPSC-BUREAU OF RECORDS

Enc.

2112-05/41391

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www.telfile.com

DOCUMENT NUMBER-DATE

01937 FEB-90

PPSC-RECORDS/REPORTING



TELECOM CERTIFICATION & FILING, INC.

485 MADISON AVENUE

NEW YORK, NEW YORK 10022-5803

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Should you have any questions, or require additional information, please contact the undersigned at your convenience.

KLEIN, ZELMAN, ROTHERMEL & DICHTER, LLP  
GENERAL ACCOUNT  
485 MADISON AVENUE  
NEW YORK, NEW YORK 10022

STERLING NATIONAL BANK  
& TRUST CO. OF NEW YORK  
425 PARK AVENUE  
NEW YORK, NEW YORK 10022  
1-777/260

8463

PAY ▶

TWO HUNDRED FIFTY AND XX / 100 Dollars

▼ DATE

▼ AMOUNT

TO THE ORDER OF

Florida Public

119.07(1)(z), Florida Statutes: Bank account numbers or debit, charge, or credit card numbers given to an agency for the purpose of payment of any fee or debt owing are confidential and exempt from subsection (1) and s.24(a), Art. 1 of the State Constitution . . .

02/08/01

00008463

\*\*\*\*\*\$250.00

Authorized Signature

Secure features. Details on back.



TELECOM CERTIFICATION & FILING, INC

485 MADISON AVENUE

NEW YORK, NEW YORK 10022-5803

TEL (212) 546-9090

FAX (212) 753-8101

e-mail: dklein@tefile.com

ORIGINAL

February 8, 2001

VIA FEDERAL EXPRESS

Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

DEPOSIT

DATE

D02

FEB 18 2001

Re: Local Telcom Holdings, LLC

010199-77

Dear Sir or Madam:

Enclosed for filing, please find one original and six (6) copies of Local Telcom Holdings, LLC' s Application form for authority to provide interexchange telecommunications service between points within the State of Florida. In addition, please find check no. 8463 in the amount of Two Hundred Fifty Dollars (\$250.00) to cover the application fee.

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Should you have any questions, or require additional information, please contact the undersigned at your convenience.

Sincerely,

Alice Rodriguez  
Project Manager

RECEIVED & FILED

*Mess*  
PPSC-BUREAU OF RECORDS

Enc.

2112-05/41391

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www.tefile.com

DOCUMENT NUMBER-DATE

01937 FEB-98

PPSC-RECORDS/REPORTING



TELECOM CERTIFICATION & FILING, INC.  
 485 MADISON AVENUE  
 NEW YORK, NEW YORK 10022-5803  
 TEL (212) 546-9090  
 FAX (212) 753-8101  
 e-mail: dklein@telfile.com

RECEIVED FPSC  
 01 FEB -9 AM 11: 12  
 RECORDS AND REPORTING

February 8, 2001

VIA FEDERAL EXPRESS  
 Florida Public Service Commission  
 Division of Records and Reporting  
 2540 Shumard Oak Blvd.  
 Tallahassee, FL 32399-0850

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward a copy of check to RAR with proof of deposit.

Re: Local Telcom Holdings, LLC

Initials of person who forwarded check:

Dear Sir or Madam:

Enclosed for filing, please find one original and six (6) copies of Local Telcom Holdings, LLC' s Application form for authority to provide interexchange telecommunications service between points within the State of Florida. In addition, please find check no. 8463 in the amount of Two Hundred Fifty Dollars (\$250.00) to cover the application fee.

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Should you have any questions, or require additional information, please contact the undersigned at your convenience.

Sincerely,

Alice Rodriguez  
 Project Manager

01 FEB -9 AM 10: 15  
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Enc.

2112-05/41391

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 FPSC-BUREAU OF RECORDS

ORIGINAL

**\*\* FLORIDA PUBLIC SERVICE COMMISSION \*\***

**DIVISION OF TELECOMMUNICATIONS**  
**BUREAU OF CERTIFICATION AND SERVICE EVALUATION**

**Application Form for Authority to Provide  
Interexchange Telecommunications Service  
Between Points Within the State of Florida**

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Instructions

- ◆ This form is used as an application for an original certificate and for approval of assignment or transfer of an existing certificate. In the case of an assignment or transfer, the information provided shall be for the assignee or transferee (See Appendix A).
- ◆ Print or Type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.
- ◆ Use a separate sheet for each answer which will not fit the allotted space.
- ◆ Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of \$250.00 to:

**Florida Public Service Commission  
Division of Records and Reporting  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
(850) 413-6770**

**Note: No filing fee is required for an assignment or transfer of an existing certificate to another certificated company.**

- ◆ If you have questions about completing the form, contact:

**Florida Public Service Commission  
Division of Telecommunications  
Bureau of Certification and Service Evaluation  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850  
(850) 413-6600**

1. This is an application for  $\checkmark$  (check one):

**Original certificate** (new company).

**Approval of transfer of existing certificate:**

Example, a certificated company purchases an existing certificated company and desires to retain the authority of both certificates.

**Approval of assignment of existing certificate:**

Example, a non-certificated company purchases an existing company and desires to retain the certificate of authority rather than apply for a new certificate.

**Approval of transfer of control:**

Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

LocalTelcom Holdings, LLC

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3. Name under which applicant will do business (fictitious name, etc.):

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4. Official mailing address (including street name & number, post office box, city, state, zip code):

26565 West Agoura Road, #305

---

Calabasas, CA 91302

---

5. Florida address (including street name & number, post office box, city, state, zip code):

c/o NRAI Services, Inc.

---

526 E. Park Avenue, Tallahassee, FL 32301

---

6. Select type of business your company will be conducting  $\checkmark$ (check all that apply):

- Facilities-based carrier** - company owns and operates or plans to own and operate telecommunications switches and transmission facilities in Florida.
- Operator Service Provider** - company provides or plans to provide alternative operator services for IXCs; or toll operator services to call aggregator locations; or clearinghouse services to bill such calls.
- Reseller** - company has or plans to have one or more switches but primarily leases the transmission facilities of other carriers. Bills its own customer base for services used.
- Switchless Rebiller** - company has no switch or transmission facilities but may have a billing computer. Aggregates traffic to obtain bulk discounts from underlying carrier. Rebills end users at a rate above its discount but generally below the rate end users would pay for unaggregated traffic.
- Multi-Location Discount Aggregator** - company contracts with unaffiliated entities to obtain bulk/volume discounts under multi-location discount plans from certain underlying carriers, then offers resold service by enrolling unaffiliated customers.
- Prepaid Debit Card Provider** - any person or entity that purchases 800 access from an underlying carrier or unaffiliated entity for use with prepaid debit card service and/or encodes the cards with personal identification numbers.

7. Structure of organization;

- |  |  |
|--|--|
| <input type="checkbox"/> Individual  | <input type="checkbox"/> Corporation         |
| <input type="checkbox"/> Foreign Corporation                               | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership                               | <input type="checkbox"/> Limited Partnership |
| <input checked="" type="checkbox"/> Other <u>Limited Liability Company</u> |  |

8. If individual, provide:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Internet E-Mail Address: \_\_\_\_\_

Internet Website Address: \_\_\_\_\_

9. **If incorporated in Florida**, provide proof of authority to operate in Florida:

(a) **The Florida Secretary of State Corporate Registration number:**

\_\_\_\_\_

10. **If foreign corporation**, provide proof of authority to operate in Florida:

(a) **The Florida Secretary of State Corporate Registration number:**

MO00000001619

11. **If using fictitious name-d/b/a**, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:

(a) **The Florida Secretary of State fictitious name registration number:** \_\_\_\_\_

12. **If a limited liability partnership**, provide proof of registration to operate in Florida:

(a) **The Florida Secretary of State registration number:** \_\_\_\_\_

13. **If a partnership**, provide name, title and address of all partners and a copy of the partnership agreement.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Internet E-Mail Address: \_\_\_\_\_

Internet Website Address: \_\_\_\_\_

14. If a foreign limited partnership, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) The Florida registration number: \_\_\_\_\_

15. Provide F.E.I. Number (if applicable): 13-4113542

16. Provide the following (if applicable):

(a) Will the name of your company appear on the bill for your services?  
(  ) Yes (  ) No

(b) If not, who will bill for your services?

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

(c) How is this information provided?

\_\_\_\_\_  
\_\_\_\_\_

17. Who will receive the bills for your service?

(  ) Residential Customers  
(  ) PATs providers  
(  ) Hotels & motels

(  ) Business Customers  
(  ) PATs station end-users  
(  ) Hotel & motel guests

( ) Universities ( ) Universities dormitory residents  
( ) Other: (specify) \_\_\_\_\_

18. Who will serve as liaison to the Commission with regard to the following?

(a) The application:

Name: David O. Klein

Title: Representative of

Address: c/o Telecom Certification & Filing, Inc., 485 Madison Ave., 15th Fl.

City/State/Zip: New York, New York 10022

Telephone No.: 212-546-9090 Fax No.: 212-753-8101

Internet E-Mail Address: dklein@telfile.com

Internet Website Address: www.telfile.com

(b) Official point of contact for the ongoing operations of the company:

Name: Mr. Paul Black

Title: President and Chief Executive Officer

Address: 26565 West Agoura Road, #305

City/State/Zip: Calabasas, CA 91302

Telephone No.: 818-871-9900 Fax No.: 818-871-9910

Internet E-Mail Address: \_\_\_\_\_

Internet Website Address: \_\_\_\_\_

(c) Complaints/Inquiries from customers:

Name: Mr. Adam Bir

Title: Vice President, Sales

**Address:** 26565 West Agoura Road, #305

**City/State/Zip:** Calabasas, CA 91302

**Telephone No.:** 888-239-2941

**Fax No.:** 818-871-9910

**Internet E-Mail Address:** \_\_\_\_\_

**Internet Website Address:** \_\_\_\_\_

19. List the states in which the applicant:

(a) has operated as an interexchange telecommunications company.

None.

(b) has applications pending to be certificated as an interexchange telecommunications company.

In all of the remaining states of the Union excluding Kentucky, Maine, Oregon,

Michigan, New Hampshire, New York, Rhode Island and Tennessee.

(c) is certificated to operate as an interexchange telecommunications company.

Kentucky, Maine, Michigan, New Hampshire, New York, Rhode Island, Oregon

and Tennessee.

(d) has been denied authority to operate as an interexchange telecommunications company and the circumstances involved.

None.

(e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

**\*\* APPLICANT ACKNOWLEDGMENT STATEMENT \*\***

1. **REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of its gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
2. **GROSS RECEIPTS TAX:** I understand that all telephone companies must pay a gross receipts tax of two and one-half percent on all intra and interstate business.
3. **SALES TAX:** I understand that a seven percent sales tax must be paid on intra and interstate revenues.
4. **APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

**UTILITY OFFICIAL:**

<u><i>Ralph Metz</i></u>	<u>FEB 01</u>	<u>2001</u>
Signature	Date	
<u>Chief Operating Officer / <i>MANAGER</i></u>	<u>818-871-9900</u>	
Title	Telephone No.	
<u>Address: 26565 West Agoura Road, #305</u>	<u>818-871-9910</u>	
<u>Calabasas, CA 91302</u>	Fax No.	

**ATTACHMENTS:**

- A - CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT
- B - CUSTOMER DEPOSITS AND ADVANCE PAYMENTS
- C - CURRENT FLORIDA INTRASTATE NETWORK
- D - AFFIDAVIT

None.

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- (f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

None.

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20. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. If so, please explain.

No.

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(b) an officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

No.

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21. The applicant will provide the following interexchange carrier services  (check all that apply):

a. \_\_\_\_\_ MTS with distance sensitive per minute rates

- Method of access is FGA
- Method of access is FGB
- Method of access is FGD
- Method of access is 800

b. \_\_\_\_\_ **MTS with route specific rates per minute**

- Method of access is FGA
- Method of access is FGB
- Method of access is FGD
- Method of access is 800

c.  **MTS with statewide flat rates per minute (i.e. not distance sensitive)**

- Method of access is FGA
- Method of access is FGB
- Method of access is FGD
- Method of access is 800

d. \_\_\_\_\_ **MTS for pay telephone service providers**

e. \_\_\_\_\_ **Block-of-time calling plan (Reach Out Florida, Ring America, etc.).**

f. \_\_\_\_\_ **800 service (toll free)**

g. \_\_\_\_\_ **WATS type service (bulk or volume discount)**

- Method of access is via dedicated facilities
- Method of access is via switched facilities

h.  **Private line services (Channel Services)  
(For ex. 1.544 mbs., DS-3, etc.)**

i. \_\_\_\_\_ **Travel service**

- Method of access is 950
- Method of access is 800

j. \_\_\_\_\_ **900 service**

k. \_\_\_\_\_ **Operator services**

- Available to presubscribed customers
- Available to non presubscribed customers (for example, to patrons of hotels, students in universities, patients in hospitals).
- Available to inmates

I. **Services included are:**

- Station assistance
- Person-to-person assistance
- Directory assistance
- Operator verify and interrupt
- Conference calling

22. Submit the proposed tariff under which the company plans to begin operation. Use the format required by Commission Rule 25-24.485 (example enclosed).

See Application Exhibit 5

23. Submit the following:

A. **Financial capability.**

The application should contain the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer affirming that the financial statements are true and correct and should include:

1. the balance sheet;
2. income statement; and
3. statement of retained earnings.

*See Application Exhibit 4*  
**NOTE:** *This documentation may include, but is not limited to, financial statements, a projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.*

Further, the following (which includes supporting documentation) should be provided:

1. **A written explanation** that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.

See Attachment

2. **A written explanation** that the applicant has sufficient financial capability to maintain the requested service.

See Attachment

3. **A written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.

See Attachment

**B. Managerial capability; give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.**

See Application Exhibit 3

**C. Technical capability; give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.**

See Application Exhibit 3

**\*\* APPENDIX A \*\***

**CERTIFICATE TRANSFER, OR ASSIGNMENT STATEMENT**

I, (Name) \_\_\_\_\_

(Title) \_\_\_\_\_ of

\_\_\_\_\_  
(Name of Company)

and current holder of Florida Public Service Commission Certificate Number

# \_\_\_\_\_, have reviewed this application and join in the  
petitioner's request for a:

( ) transfer

( ) assignment

of the above-mentioned certificate.

**UTILITY OFFICIAL:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone No.

Address: \_\_\_\_\_

\_\_\_\_\_  
Fax No.

\_\_\_\_\_  
\_\_\_\_\_

**CUSTOMER DEPOSITS AND ADVANCE PAYMENTS**

A statement of how the Commission can be assured of the security of the customer's deposits and advance payments may be provided in one of the following ways (applicant, please  check one):

- (  ) The applicant will **not** collect deposits nor will it collect payments for service more than one month in advance.
  
- (  ) The applicant intends to collect deposits and/or advance payments for more than one month's service and will file and maintain a surety bond with the Commission in an amount equal to the current balance of deposits and advance payments in excess of one month.  
(The bond must accompany the application.)

**UTILITY OFFICIAL:**

<u><i>Roger Metz</i></u>	<u>F1301</u>	<u>, 2001</u>
Signature	Date	
<u>Chief Operating Officer</u>	<u>818-871-9900</u>	
Title	Telephone No.	
<u>Address: 26565 West Agoura Road, #305</u>	<u>818-871-9910</u>	
<u>Calabasas, CA 91302</u>	<u>Fax No.</u>	

**\*\* APPENDIX C \*\***

**CURRENT FLORIDA INTRASTATE SERVICES**

Applicant has ( ) or has not ( x ) previously provided intrastate telecommunications in Florida.

If the answer is has, fully describe the following:

a) What services have been provided and when did these services begin?

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b) If the services are not currently offered, when were they discontinued?

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**UTILITY OFFICIAL:**

*Ralph M. ...* FEB 01 , 2001  
Signature Date

Chief Operating Officer / *MANAGER* 818-871-9900  
Title Telephone No.

Address: 26565 West Agoura Road, #305 818-871-9910  
Calabasas, CA 91302 Fax No.

**AFFIDAVIT**

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative local exchange company service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."

**UTILITY OFFICIAL:**

<u></u>	<u>FEB 01</u> , 2001
Signature	Date
<u>Chief Operating Officer / <b>MANAGER</b></u>	<u>(818) 871-9900</u>
Title	Telephone No.
<u>Address: 26565 West Agoura Road, #305</u>	<u>(818) 871-9910</u>
<u>Calabasas, CA 91302</u>	Fax No.
_____	
_____	
_____	

# ATTACHMENT

## ATTACHMENT

1. **A written explanation** that the Applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.

In support of its financial qualifications, Local Telcom Holdings, LLC submits financial statements for its first three (3) years of operations, as attached hereto as Exhibit 4. These statements demonstrate that Applicant has the financing and working capital necessary to fulfill any obligations it may undertake with respect to the operation and maintenance of its network.

Accordingly, Applicant asserts that it has the financial resources necessary to operate as a reseller of interexchange telecommunications services in the State of Florida.

2. **A written explanation** that the Applicant has sufficient financial capability to maintain the requested service.

In addition to Exhibit 4 to the Application, attached please find one copy of Applicant's most recent bank statement evidencing a balance of Twenty-Five Thousand Dollars (\$25,000.00). Applicant feels that these funds are sufficient to finance the services it intends to offer to the public. In addition, as Applicant is a non-facilities based reseller, it will not require a capital investment for equipment or infrastructure.

3. **A written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.

Applicant will not lease and/or own equipment for the provision of services detailed in its application. Applicant has a Thirty-Six (36) month renewable contract with Global Crossing, a Tier 1 facilities-based carrier, which provides Applicant with domestic interexchange and international termination.



This statement: January 31, 2001  
 Last statement: January 04, 2001

Page 1  
 0022386530  
 (0)

022 0830N  
 LOCAL TELECOM HOLDINGS LLC  
 28565 W N AGOURA RD STE 305  
 CALABASAS CA 91302

Direct inquiries to:  
 213 427-5050

Woodland Hills Office  
 21800 Oxnard Street  
 Woodland Hills CA 91367

WITH 46 YEARS OF QUALITY SERVICE IN CALIFORNIA, AND OVER \$9 BILLION IN ASSETS, YOU CAN BE SURE THAT WE HAVE THE EXPERIENCE TO HELP YOU REACH THE NEXT LEVEL OF SUCCESS. CITY NATIONAL BANK, "THE WAY UP".

### Analyzed Business Checking

Account number		Beginning balance	\$0.00
Minimum balance	\$0.00	Total credits	25,000.00
Average balance	\$14,285.71	Total debits	.00
Avg collected balance	\$14,285.00	Ending balance	\$25,000.00

#### CREDITS

<u>Date</u>	<u>Description</u>	<u>Reference</u>	<u>Credits</u>
01-16	Deposit		25,000.00

#### DAILY BALANCES

<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
01-16	25,000.00				

Thank you for banking with Woodland Hills Office

**STATE OF FLORIDA  
PUBLIC SERVICE COMMISSION**

In the Matter of the Application of )  
 )  
Local Telcom Holdings, LLC for a ) Docket No. \_\_\_\_\_  
Certificate of Public Convenience and )  
Necessity to Provide Resold Interexchange )  
Distance Telecommunications Services )

**APPLICATION FOR A CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY**

Local Telcom Holdings, LLC hereby requests that the Florida Public Service Commission ("PSC") issue a Certificate of Public Convenience and Necessity granting Local Telcom Holdings, LLC authority to provide resold interexchange telecommunications services in the State of Florida. In support thereof, the following information is provided:

**1. Name and Address of Applicant**

The full name of the Applicant and its business address is:

Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302  
Telephone Number: (818) 871-9910  
Facsimile Number: (818) 871-9910

The Representative of the Applicant to whom the PSC is requested to direct correspondence is:

David O. Klein, COO  
Telecom Certification & Filing, Inc.  
485 Madison Avenue, 15<sup>th</sup> Floor  
New York, NY 10022-5803  
Telephone Number: (212) 546-9090  
Facsimile Number: (212) 753-8101  
E-mail Address: [dklein@telfile.com](mailto:dklein@telfile.com)

The Registered Agent in the State of Florida is:

NRAI Services, Inc.  
526 E. Park Avenue  
Tallahassee, Florida 32301

## **2. Certificate of Organization**

Local Telecom Holdings, LLC is a Limited Liability Company. Local Telecom Holdings, LLC was organized in the State of Delaware on April 7, 2000. A copy of its Certificate of Formation is attached hereto as Exhibit 1. Local Telecom Holdings, LLC is certified to do business as a foreign corporation in the State of Florida. A copy of Local Telecom Holdings, LLC's Certificate of Authority to transact business in the State of Florida is attached hereto as Exhibit 2.

## **3. Shareholders and Officers**

Local Telecom Holdings, LLC's Officers and Directors are as follows:

Paul Black	-	President and Chief Executive Officer
Ralph Metz	-	Chief Operating Officer
Adam Bir	-	Vice President, Sales

Local Telcom Holdings, LLC has the technical and managerial resources necessary to provide customers in the State of Florida with high-quality resold interexchange telecommunications services. Local Telcom Holdings, LLC's management possesses extensive management and technical experience in the telecommunications industry. A list of the Officers and Directors of Local Telcom Holdings, LLC, together with their managerial qualifications is attached hereto as Exhibit 3. The relevant operational and managerial experience of Local Telcom Holdings, LLC's Executive Management staff is set forth in Exhibit 3 attached hereto.

Customer complaints can be addressed by calling Local Telcom Holdings, LLC's Customer Service toll-free number available 24 hours a day, seven days a week (888) 239-2941 or by writing to:

Local Telcom Holdings, LLC  
BMSI  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

#### **4. Financial Qualifications**

Local Telcom Holdings, LLC is financially qualified to render the proposed services. In support of its financial qualifications, financial statements are collectively attached hereto as Exhibit 4. These statements demonstrate that Local Telcom Holdings, LLC has the financing and working capital necessary to fulfill any obligations it may undertake with respect to the operation and maintenance of its network.

## **5. Current Business Transactions**

Local Telcom Holdings, LLC has received resold local exchange and interexchange telecommunications authorization in the states of Kentucky, Michigan, New Hampshire, New York, Oregon and Tennessee. Local Telcom Holdings, LLC has also received resold interexchange telecommunications authorization in the states of Maine and Rhode Island. However, as of this date, Local Telcom Holdings, LLC has not commenced providing any type of services to either Kentucky, Maine, Michigan, New Hampshire, New York, Oregon, Tennessee or Rhode Island customers.

Local Telcom Holdings, LLC is in the process of petitioning the remaining states of the Union for facilities-based local exchange and resold interexchange telecommunications authority. In no instance has an application been denied or rejected.

## **6. The Services to be Offered by Applicant**

Local Telcom Holdings, LLC intends to subscribe to and resell all forms of interexchange telecommunications services in the State of Florida including: long distance dial tone services, Message Telephone Service, Wide Area Telephone Service, WATS-like services, Foreign Exchange Service, private lines, tie lines, access service, Calling Card services and other services and facilities of communications common carriers and other entities. Local Telcom Holdings, LLC intends to provide resold interexchange telecommunications service indiscriminately to both residential and business class customers throughout the entire State of Florida.

Local Telcom Holdings, LLC proposes to acquire and resell various voice and data communications services offered by interexchange carriers, and to package and provide these services for the specialized functions and needs of its customers. In particular, services will be acquired from underlying interexchange carriers at bulk rates and will be resold to Applicant's

customers, so that customers will benefit from reduced pricing. The experienced management, technical, and operations expertise of the Local Telcom Holdings, LLC's team will enable Local Telcom Holdings, LLC to begin offering competitive high-quality service immediately upon the grant of the authority requested herein.

In addition to reduced pricing, the introduction of Local Telcom Holdings, LLC's services will promote competition and lead to greater efficiencies and more rapid introduction of new technologies in the use of telephone service. Thus, PSC grant of this Application will significantly serve the public interest through enhanced competition in the market for interexchange services through the addition of a well managed new entrant into the market.

#### **7. Tariff**

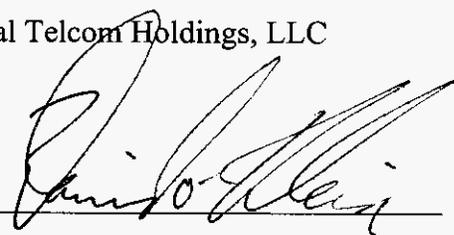
Local Telcom Holdings, LLC's proposed interexchange tariff, containing its proposed rates, terms and conditions of service, is attached hereto as Exhibit 5. Local Telcom Holdings, LLC believes that the rates, terms and conditions of service contained in the proposed interexchange tariff are competitive and reasonable.

**CONCLUSION**

In view of the foregoing, Local Telcom Holdings, LLC respectfully submits that the Public Convenience and Necessity would be served by grant of its Application for certification to operate as resold provider of interexchange telecommunications services within the State of Florida.

Respectfully submitted,

Local Telcom Holdings, LLC

By: 

David O. Klein, COO  
Telecom Certification & Filing, Inc.  
485 Madison Avenue, 15<sup>th</sup> Floor  
New York, NY 10022-5803  
Representative of Local Telcom Holdings, LLC

STATE OF CALIFORNIA     )  
  ) ss:  
COUNTY OF LOS ANGELES    )

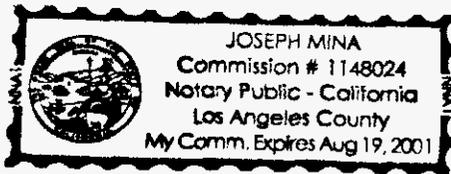
VERIFICATION

I, Ralph Metz, declare that I am the Chief Operating Officer of Local Telcom Holdings, LLC I verify that, based upon information and belief, I have knowledge of the statements in the foregoing Application and I declare that they are true and correct. In addition, I hereby assert my willingness to comply with all applicable federal and State laws, and the rules and orders of the Commission. Furthermore, I attest that for each area or exchange(s) that Local Telcom Holdings, LLC proposes to serve, Local Telcom Holdings, LLC agrees to offer the provisioning of service to all end-users within that area or exchange(s) on a non-discriminatory basis.

*Ralph Metz*  
Ralph Metz

Sworn to me before, the undersigned Notary Public on this the 1 day of Feb ~~January~~, 2001.

*Joseph Mina*  
Notary Public



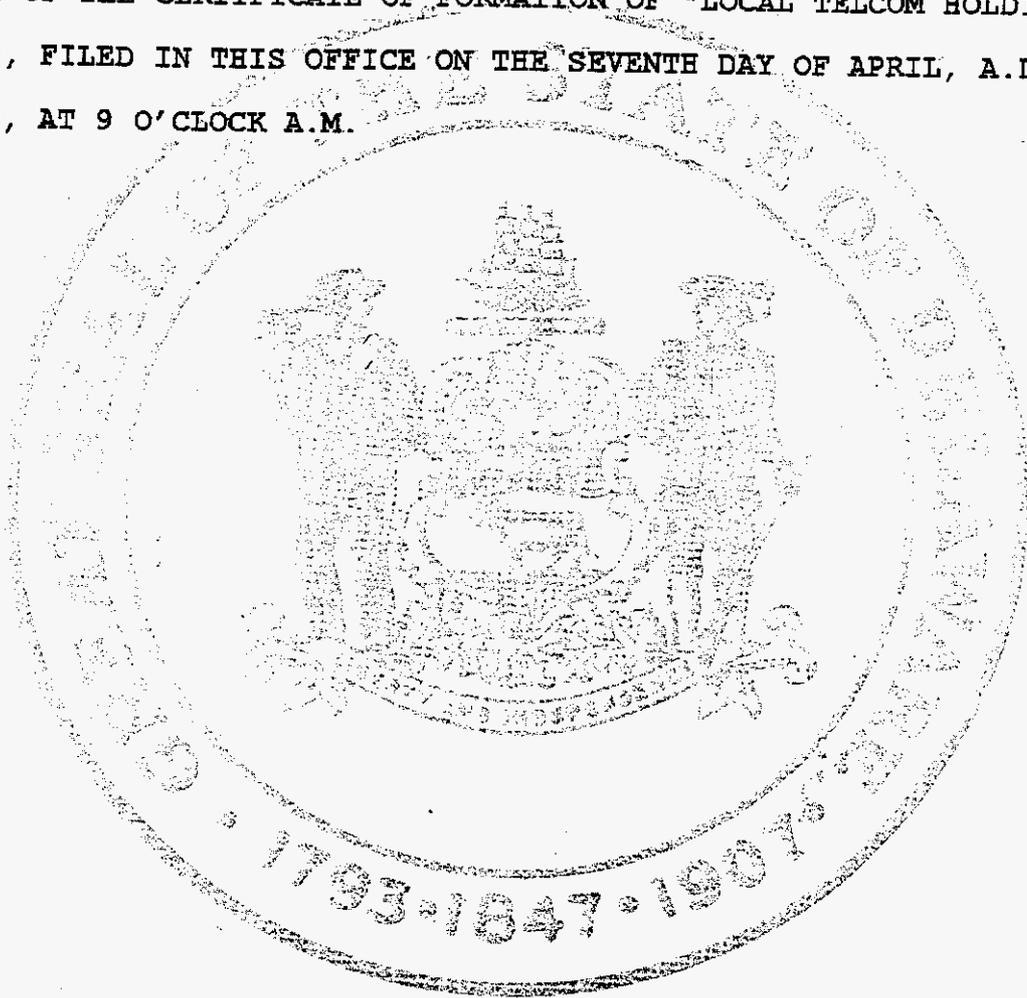
Joseph Mina  
Print or Type Name

# EXHIBIT 1

Office of the Secretary of State

---

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "LOCAL TELCOM HOLDINGS, LLC", FILED IN THIS OFFICE ON THE SEVENTH DAY OF APRIL, A.D. 2000, AT 9 O'CLOCK A.M.



*Edward J. Freel*

Edward J. Freel, Secretary of State

3209610 8100

001181732

AUTHENTICATION:

0371346

DATE:

04-10-00

STATE OF DELAWARE  
LIMITED LIABILITY COMPANY  
CERTIFICATE OF FORMATION

- **First:** The name of the limited liability company is Local Telcom Holdings, LLC.
- **Second:** The address of its registered office in the State of Delaware is 1013 Centre Road in the City of Wilmington.

The name of its registered agent at such address is Corporation Service Company.

- **Third:** The purpose for which this limited liability company is organized is to engage in any activity within the purpose for which limited liability companies may be organized the State of Delaware; and all such activities shall by such statement be deemed within the purpose of the limited liability company, subject to expressed limitations, if any.

In Witness Whereof, the undersigned have executed this Certificate of Formation of Local Telcom Holdings, LLC this 6<sup>th</sup> day of April, 2000.

BY: 

Authorized Person

NAME: Joel Dichter, Esq.

Type or Print

00035825:1

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 04/07/2000  
001181732 - 3209610

# EXHIBIT 2

# State of Florida



## Department of State

I certify the attached is a true and correct copy of the application by LOCAL TELCOM HOLDINGS, LLC, a Delaware limited liability company, authorized to transact business within the state of Florida on August 15, 2000, as shown by the records of this office.

The document number of this limited liability company is M00000001619.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Fifteenth day of August, 2000



CR2EO22 (1-99)

*Katherine Harris*

Katherine Harris  
Secretary of State

IN COMPLIANCE WITH SECTION 608.503, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. LOCAL TELCOM HOLDINGS, LLC  
(Name of foreign limited liability company)

2. Delaware 3. 13-4113542  
(Jurisdiction under the law of which foreign limited liability company is organized) (FEI number, if applicable)

4. April 7, 2000 5. perpetual  
(Date of Organization) (Duration: Year limited liability company will cease to exist or "perpetual")

6. Upon Qualification  
(Date first transacted business in Florida. (See sections 608.501, 608.502, and 817.155, F.S.))

7. 485 Madison Avenue, New York, NY 10022  
(Street address of principal office)

8. If limited liability company is a manager-managed company, check here

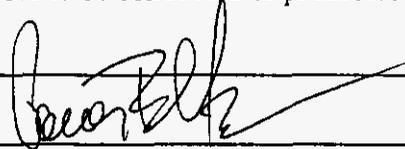
9. The usual business addresses of the managing members or managers are as follows:

485 Madison Avenue  
New York, NY 10022

FILED  
00 AUG 15 PM 2:00  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

10. Attached is an original certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (A photocopy is not acceptable. If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted.)

11. Nature of business or purposes to be conducted or promoted in Florida: To Provide Telecommunication services.

  
Signature of a member or an authorized representative of a member.  
(In accordance with section 608.408(3), F.S., the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true.)  
Paul Black  
Typed or printed name of signee

**CERTIFICATE OF DESIGNATION OF  
REGISTERED AGENT/REGISTERED OFFICE**

PURSUANT TO THE PROVISIONS OF SECTION 608.415 or 608.507, FLORIDA STATUTES, THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING STATEMENT TO DESIGNATE A REGISTERED OFFICE AND REGISTERED AGENT IN THE STATE OF FLORIDA.

1. The name of the Limited Liability Company is:

LOCAL TELCOM HOLDINGS, LLC

2. The name and the Florida street address of the registered agent and office are:

NRAI Services, Inc.

(Name)

526 E. Park Avenue

Florida street address (P.O. Box NOT ACCEPTABLE)

Tallahassee

FL 32301

City/State/Zip

*Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, F.S.*

NRAI Services, Inc.

Ed Hand - Asst. Secretary

(Signature)

\$ 100.00	Filing Fee for Application
\$ 25.00	Designation of Registered Agent
\$ 30.00	Certified Copy (optional)
\$ 5.00	Certificate of Status (optional)

00 AUG 15 PM 2:00  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

FILED

*State of Delaware*  
*Office of the Secretary of State*

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PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "LOCAL TELCOM HOLDINGS, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTIETH DAY OF JULY, A.D. 2000.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "LOCAL TELCOM HOLDINGS, LLC" WAS FORMED ON THE SEVENTH DAY OF APRIL, A.D. 2000.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.



3209610 8300

001368341

A handwritten signature in cursive script, reading "Edward J. Freel".

Edward J. Freel, Secretary of State

AUTHENTICATION: 0571588

DATE: 07-20-00

# EXHIBIT 3

Local Telcom Holdings, LLC d/b/a Transpoint Communications' Officers and Directors are as follows:

Paul Black, President and Chief Executive Officer  
Ralph Metz, Chief Operating Officer  
Adam Bir, Vice President, Sales

They can be reached at Local Telcom Holdings, LLC d/b/a Transpoint Communications' primary place of business at 26565 West Agoura Road, Suite 305, Calabasas, CA 91302, (818) 871-9900.

**Paul Black      *President*>**

Mr. Black joined Nomad as President in May of 2000. Prior thereto Mr. Black served as Senior Vice President, Global Market Development for Pacific Gateway Exchange, Inc. Mr. Black has in excess of 20 years in the telecommunications industry, having served as President of RLS Communications USA Inc., the U.S. operating subsidiary of RSL Communications, through 1997. Mr. Black also has been Vice President of International Business Development of Pacific Gateway from 1993 to 1995 and President of SERSA/GEOCOM, a provider of dedicated international communications services. From 1990 to 1993, Mr. Black was Manager, Western Region, for GTE Spacenet, now known as GTE Telcom.

## Biography

### Ralph Metz

Mr. Metz is a graduate of Hillsdale College Hillsdale Michigan with a BLS degree. Mr. Metz has been in the telecommunications industry for 23 years and has an extensive international background in voice, data & multimedia communications service, software and hardware. Mr. Metz has held management positions with RCA Communications, AT&T and Contel. Most recently Mr. Metz held Vice President positions with RSL COM USA, North Communications ( A John Kluge Company) and Pacific Gateway Exchange. Mr. Metz was responsible to building successful agent programs at both RSL and Pacific Gateway Exchange.

EXHIBIT 4

# EXHIBIT 5

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TITLE SHEET

**FLORIDA TELECOMMUNICATIONS TARIFF**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of interexchange telecommunications services provided by Local Telcom Holdings, LLC. Local Telcom Holdings, LLC's principal offices are located at 26565 West Agoura Road, Suite 305, Calabasas, CA 91302. This tariff applies to services furnished within the State of Florida. This tariff is on file with the Florida Public Service Commission, and copies may be inspected, during normal business hours, at the Company's principal place of business.

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Issued: February 9, 2001

Effective: \_\_\_\_\_

By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

---

**CHECK SHEET**

Sheet 1 through 23 inclusive of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<b><u>SHEET</u></b>	<b><u>REVISION</u></b>
1	Original
2	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original
22	Original
23	Original

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Issued: February 9, 2001  
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Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
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Effective: \_\_\_\_\_

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Section 2 -- Rules and Regulations ..... 8

Section 3 -- Description of Service ..... 17

Section 4 -- Rates ..... 20

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Issued: February 9, 2001  
By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

Effective: \_\_\_\_\_

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**SYMBOLS**

The following are the only symbols used for the purposes indicated below:

- D - Delete or Discontinue
- I - Change Resulting in an Increase to a Customer's Bill
- M - Moved from Another Tariff Location
- N - New
- R - Change Resulting in a Reduction to a Customer's Bill
- T - Change in Text or Regulation but no Change in Rate or Charge

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Issued: February 9, 2001  
By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

Effective: \_\_\_\_\_

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**TARIFF FORMAT**

- A. Sheet Numbering** - Sheet numbers appear in the upper right corner of the sheet. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each sheet. These numbers are used to determine the most current sheet version on file with the FPSC. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. the FPSC follows in their tariff approval process, the most current sheet number on file with the FPSC is not always the tariff sheet in effect. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Number Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.1.
  - 2.1.1.
  - 2.1.1.A.
  - 2.1.1.A.1.
  - 2.1.1.A.1.(a).
  - 2.1.1.A.1.(a).1.
  - 2.1.1.A.1.(a).1.(i).
  - 2.1.1.A.1.(a).1.(i).(1).
- D. Check Sheets** - When a tariff filing is made with the FPSC, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new sheets are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some sheets). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the FPSC.

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Issued: February 9, 2001

Effective: \_\_\_\_\_

By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Access Line** - An arrangement which connects the customer's location to a Local Telcom Holdings, LLC's network switching center.

**Authorization Code** - A numerical code, one or more of which are available to a customer to enable the customer to access the carrier, and which are used by the carrier both to prevent unauthorized access to its facilities and to identify the customer for billing purposes.

**Company or Carrier** - Local Telcom Holdings, LLC.

**Customer** - The person, firm, corporation or other entity which orders service and is responsible for both payment of charges due and compliance with the Company's tariff regulations.

**Calling Card** - A card issued by the Company, the customer's Local Exchange Company, authorized vendor, or other common carrier which allows the customer to make telephone calls and bill calls to the Calling Card by entering a PIN.

**Card Number** - A multi-digit identifying number which may be printed on the Calling Card, which may also be referred to in this tariff as a PIN.

**Day** - From 8:00 a.m. up to, but not including, 5:00 p.m. local time Monday through Friday.

**Evening** - From 5:00 p.m. up to, but not including 11:00 p.m. local time Sunday through Friday.

**FPSC** - Florida Public Service Commission.

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Issued: February 9, 2001

By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

Effective: \_\_\_\_\_

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (contd.)**

**Holidays** - Local Telcom Holdings, LLC's recognized holidays are New Year's Day (January 1), Martin Luther King, Jr. Day, President and CEOs' Day, Veterans' Day, Memorial Day, Independence Day (July 4), Labor Day, Columbus Day, Thanksgiving Day and Christmas Day (December 25).

**Local Exchange Company** - A company which furnishes local exchange telephone service.

**Major Credit Card** - A universally accepted charge card. MasterCard, VISA, Diner's Club International, American Express and Carte Blanche are examples of major credit cards which the Company may accept.

**Night/Weekend** - From 11:00 p.m. up to, but not including, 8:00 a.m. Sunday through Friday, and 8:00 a.m. Saturday up to, but not including 5:00 p.m. Sunday.

**PIN(s)** - One or more multi-digit (usually 8 or more) personal identification numbers which have been assigned to a customer to use with a designated 800 number, or other access number, to access the Company's network.

**Underlying Carriers** - Those FPSC approved telecommunications service providers whose services the Company resells to its customers under the provisions of this tariff.

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Issued: February 9, 2001

By:

Effective: \_\_\_\_\_  
Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

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**SECTION 2 - RULES AND REGULATIONS**

**2.1 Contact Information**

2.1.1 Customer complaints, bill inquiry, new service or disconnect requests:

Mr. Adam Bir  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

2.1.2 Commission contact - tariff information:

Mr. Paul Black  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

2.1.3 Commission Contact Complaints:

Mr. Paul Black  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

2.1.4 Florida Registered Agent:

NRAI Services, Inc.  
526 E. Park Avenue  
Tallahassee, Florida 32301

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Issued: February 9, 2001

By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

Effective: \_\_\_\_\_

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**SECTION 2 - RULES AND REGULATIONS (cont'd)**

**2.2 Undertaking of Local Telcom Holdings, LLC**

Local Telcom Holdings, LLC's facilities are furnished for communications originating at specified points within the State of Florida under terms of this tariff.

Local Telcom Holdings, LLC operates, and maintains the communication services provided hereunder in accordance with the terms and conditions set forth under this tariff. When authorized by the customer, the Company may act as the customer's agent for ordering access connection facilities provided by other carriers or entities to allow connection of a customer's location to the Company's network. The customer shall be responsible for all charges due for such service arrangement.

The Company's services are provided on a monthly basis unless ordered on a longer time basis, and are available 24 hours per day, seven days per week.

**2.3 Limitations**

- 2.3.1 Service is offered subject to the availability of facilities and the provisions of this tariff.
- 2.3.2 Local Telcom Holdings, LLC reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control, or when the customer is using service in violation of the law or the provisions of this tariff.
- 2.3.3 All services provided under this tariff are directly controlled by Local Telcom Holdings, LLC and the customer may not transfer or assign the use of service, except with the express consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.

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Issued: February 9, 2001  
By:

Effective: \_\_\_\_\_  
Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

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**SECTION 2 - RULES AND REGULATIONS (contd.)**

**2.3 Limitations (contd.)**

2.3.4 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

**2.4 Liabilities of the Company**

2.4.1 Local Telcom Holdings, LLC's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring due to the negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charge to the customer for the period during which the aforementioned faults in transmission occur.

2.4.2 Local Telcom Holdings, LLC shall be indemnified and held harmless by the customer against:

- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information, or other content transmitted over the Company's facilities.
- (B) All other claims arising out of any act or omission of the customer in connection with any service or facility provided by Local Telcom Holdings, LLC.

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Issued: February 9, 2001

Effective: \_\_\_\_\_

By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

**SECTION 2 - RULES AND REGULATIONS (contd.)**

**2.5 Interruption of Service**

2.5.1 Credit allowances for the interruption of service, which is not due to the Company's testing or adjusting, negligence of the customer, or to the failure of channels or equipment provided by the customer, are subject to the general liability provisions set forth in 2.3.1 herein. It shall be the obligation of the customer to notify the Company immediately of any interruption in service for which a credit allowance is desired.

Before giving such notice, the customer shall ascertain that the trouble is not being caused by an action or omission by the customer within the customer's control, or is not due to the wiring or equipment, if any, furnished by the customer and connected to the Company's facilities.

2.5.2 For the purposes of credit computation, every month shall be considered to have 720 hours.

2.5.3 No credit shall be allowed for an interruption of a continuous duration of less than two hours.

2.5.4 The customer shall be credited for an interruption of two hours or more at the rate of 1/720th of the fixed monthly charge for the facilities affected for each hour or major fraction thereof that the interruption continues.

Credit Formula:

$$\text{Credit} = \frac{A}{720} \times B$$

"A" -- outage times in hours

"B" -- total fixed monthly charge for affected facility

Issued: February 9, 2001

By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

Effective: \_\_\_\_\_

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**SECTION 2 - RULES AND REGULATIONS (contd.)**

**2.6 Suspension-of-Service Guidelines**

Service will be suspended without notice in the following situations:

- 1) The customer obtained service fraudulently; or
- 2) A safety hazard is found on the customer's premises.

**2.7 Restoration of Service**

Restoration of service shall be done as quickly as practicable by patching, rerouting, substitution of component parts or pathways, and other means, as determined necessary by the Company.

**2.8 Billing Periods**

The Customer will receive an itemized statement of account after the 30-day cycle.

**2.9 Understanding Your Statement of Account**

Your statement will outline specific charges or adjustments for Local Telcom Holdings, LLC's services incurred and paid for during the preceding 30-day period.

**2.10 Questions About Your Bill**

If the customer has questions about Local Telcom Holdings, LLC's charges that may appear on its bill, the customer may call the Local Telcom Holdings, LLC service representative toll free at (888) 239-2941 or Local Telcom Holdings, LLC's designated billing agent.

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Issued: February 9, 2001

By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

Effective: \_\_\_\_\_

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**SECTION 2 - RULES AND REGULATIONS (contd.)**

**2.11 Pay By Mail**

A return envelope is included with each customer's bill. If the return envelope is unavailable, customers should contact the customer service telephone number indicated on the bill for the appropriate address.

**2.12 Lost Bills**

If a bill is lost, the customer should call the Local Telcom Holdings, LLC service representative or Local Telcom Holdings, LLC's designated billing agent for the amount due. Customers should be sure to include their account number, name, address and telephone number with payment.

**2.13 Forms of Payment**

For the protection of the customer, customers should send checks or money orders payable in United States dollars with their account number, area code, and telephone number included. Cash should not be sent. Unless otherwise required by law, tariff or Commission order, partial payments received without customer direction will be prorated by Local Telcom Holdings, LLC.

**2.14 Return Check Charges**

If a customer's check is returned by the bank, a charge will be added to the customer's next monthly telephone bill. A fee of \$10.00, or five percent of the amount of the check, whichever is greater, will be charged for each check returned for insufficient funds.

**2.15 Late Payments**

Local Telcom Holdings, LLC's service representative or Local Telcom Holdings, LLC's designated billing agent should be contacted if a bill cannot be paid on time; special payment arrangements may be possible in case of illness or other circumstances beyond one's control. Late payments may be subject to a late charge and/or may result in telephone service being suspended. A late fee of 1.5% monthly will be charged on any past due balances.

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Issued: February 9, 2001

Effective: \_\_\_\_\_

By:

Paul Black, President and CEO  
Local Telcom Holdings, LLC  
26565 West Agoura Road, Suite 305  
Calabasas, CA 91302

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**SECTION 2 - RULES AND REGULATIONS (contd.)**

**2.16 Requirements for Service Restoral After Suspension for Non-Payment**

In most cases, all charges billed for service must be paid before service will be restored. This would include any amount which may have been received on a new bill. There is also a charge to restore service, which will be billed to the customer's account.

**2.17 Responsibility of the Company**

The Company endeavors to provide the best long distance service possible at a fair and competitive price. In turn, the customer is responsible for paying his bills on time and must report any problems in a timely manner so that they can be corrected.

**2.18 Frequency Restrictions**

There are no frequency restrictions.

**2.19 Cancellations**

Customers may cancel their service at any time through written instruction.

**2.20 Nonpayment**

The Company's designated billing agent will contact a customer when their payment is late. At the point where payment exceeds 60 days late, the customer may be turned over to a collection agency and the customer's service may be terminated. Suspension or termination of service shall not be made without five (5) working days' written notice to the customer, except in extreme cases. The written notice shall be separate and apart from the regular monthly bill for service.

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**SECTION 2 - RULES AND REGULATIONS (contd.)**

**2.21 Credit for Incomplete Calls**

When a customer calls in and identifies that specific calls were incomplete, the Company's Customer Service department has the capability to credit the Customer's account. In the event that the call was incomplete, the Company will automatically credit the customer's account.

**2.22 Deposits**

The Company does not require a deposit from the customer.

**2.23 Advanced Payments**

The Company does not require advance payments.

**2.24 Special Promotions**

The Company offers no special promotions at this time and anticipates no such promotions in the future.

**2.25 Billing Dispute**

In the event the customer is not satisfied with the Company's resolution of a billing dispute, the customer may make a complaint to the FPSC for review and disposition of the matter.

**2.26 Minimum Call Completion Rate**

A customer can expect a call completion rate (number of calls completed/number of calls attempted) of not less than 90% during peak use periods for all Company services.

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**SECTION 2 - RULES AND REGULATIONS (contd.)**

**2.27 Taxes**

All State and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

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**SECTION 3 - DESCRIPTION OF SERVICES**

**3.1 Usage Based Services**

The Company's charges are based on the actual usage of the Company's services, in addition to any special features and/or service options, utilized by the customer. Charges begin when the called station is answered and two way communication is possible, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision in which the Company sends a signal to the switch. Charges cease when either party (called or calling) hangs up, unless chained calling is permitted and, in such case, the charges will cease when the calling party hangs up.

**3.2 Long Distance Network Service**

The Company's Long Distance Network Service provides for the resold and facilities based provision of services offered by various Underlying Carriers. This service is a custom designed private telecommunication network that combines the efficiencies and benefits of both switched and private line service to meet the specific requirements of customers needing to communicate between geographic locations within the State.

Each service customer is charged individually for each call on a conversation minute basis. Each call is measured and charged at the applicable rate for the initial sixty (60) second period or fraction thereof, and then at the applicable rate for each additional sixty (60) second period or fraction thereof. The minimum length of a call is sixty (60) seconds. See Section 4, Rates, for the applicable rate schedule.

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**SECTION 3 - DESCRIPTION OF SERVICE**

**3.2 Long Distance Network Service (contd.)**

Dedicated access circuits may be provided and billed by the Underlying Carrier. Dedicated access channels may be purchased from carriers other than the Underlying Carrier(s) only in accordance with FPSC rules or if the special access channel is jurisdictionally interstate. Charges for the dedicated access channel are determined by the access provider.

**3.3 Calling Card Service**

3.4.1 This service permits use of a Calling Card to access and pay for the Company's telecommunications services.

3.4.2 Customers obtain the service by dialing an 800 number or other Access Codes to access the Company's network. The customer is prompted by an automated voice response system to enter his/her PIN, and then to enter the terminating telephone number. The Company's processor tracks the call duration from when the call is answered by the Company's processor for rating purposes on a real time basis. Billing for all calls ends when the called party hangs-up.

**3.4 Directory Assistance Service**

Directory Assistance Service is provided by Local Telcom Holdings, LLC's to assist subscribers in obtaining telephone numbers.

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**SECTION 3 - DESCRIPTION OF SERVICES (contd.)**

**3.5 Accessing Service**

The service provided by the Company, is one way dial in - dial out, multi-point telecommunications services, allowing the customer to originate calls through the network facilities of the Company. Access to the Company may differ dependent upon the type of exchange access service provided by the local exchange telephone company to the Company's Underlying Carrier(s).

**3.6 Availability of Service**

The services provided through the Company, are available where equal access and the Underlying long distance Billing Systems are provided.

**3.7 Locations of Service**

The services offered by the Company are to be available statewide, where the long distance services of its Underlying Carrier(s) are available. The services offered by the Company are not intended to be limited geographically.

**3.8 Timing of Calls**

3.8.1 The customer's long distance usage charge is based on the actual usage of Local Telcom Holdings, LLC's service. Chargeable time begins when a connection is established between the calling station and the called station. Chargeable time ends when either party "hangs up" thereby releasing the network connections.

3.8.2 The minimum call duration and usage measurement and rounding for billing purposes is specified on per-product basis in the rate section of this tariff.

3.8.3 There is no charge applied for incomplete calls.

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**SECTION 4 - RATES**

**4.1 Long Distance Network Usage Rates**

- 4.1.1 The calls placed through the Company are rated using one of the following schedules.
- 4.1.2 Day, Evening and Night rate periods apply to Long Distance Network usage. The rates apply for all days of the week including holidays. The Day rate period is 8:00 a.m. to, but not including, 5:00 p.m., Monday through Friday and 5:00 p.m. to, but not including, 11:00 p.m. Sunday. The Night/Weekend Rate period is 11:00 p.m. to, but not including, 8:00 a.m. Monday through Sunday, all day Saturday, and from 8:00 a.m. to, but not including, 5:00 p.m. Sunday. For New Year's Day (January 1), Independence Day (July 4), Labor Day, Thanksgiving Day and Christmas Day (December 25), the Evening Rate applies.

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**SECTION 4 - RATES (contd.)**

**4.2 Long Distance Network And Calling Card Usage Rates**

4.2.1 Florida Intrastate Interlata Rates

	<u>DAY</u>		<u>EVE</u>		<u>NIGHT</u>	
	<u>First</u>	<u>Add'l</u>	<u>First</u>	<u>Add'l</u>	<u>First</u>	<u>Add'l</u>
Switched Outbound:						
	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.
Switched Inbound:						
	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.
Dedicated Outbound:						
	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.
Dedicated Inbound:						
	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.

4.2.2 Florida Intrastate Intralata Rates

	<u>DAY</u>		<u>EVE</u>		<u>NIGHT</u>	
	<u>First</u>	<u>Add'l</u>	<u>First</u>	<u>Add'l</u>	<u>First</u>	<u>Add'l</u>
Switched Outbound:						
	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.
Switched Inbound:						
	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.	\$0.158/min.
Dedicated Outbound:						
	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.
Dedicated Inbound:						
	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.	\$0.090/min.

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**SECTION 4 - RATES (contd.)**

**4.2 Long Distance Network And Calling Card Usage Rates**

4.2.3 Calling Card Service Rates

<u>DAY</u>		<u>EVE</u>		<u>NIGHT</u>	
<u>First</u>	<u>Add'l</u>	<u>First</u>	<u>Add'l</u>	<u>First</u>	<u>Add'l</u>
\$0.200/min.	\$0.200/min.	\$0.200/min.	\$0.200/min.	\$0.200/min.	\$0.200/min.

4.2.3.1 Operator Handling Charge

Customers will be billed the following operator handling charge for each automated operator assisted Calling Card call.

Per Call Charge                      \$3.50

**4.3 Directory Assistance Service**

Local Telcom Holdings, LLC's Customers will be billed at the following per call charge for each directory assistance call. The directory assistance charge applies to each call regardless of whether the directory assistance bureau is able to furnish the requested telephone number.

Per Call Charge                      \$0.99

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**SECTION 4 - RATES (contd.)**

**4.4 Exemptions and Special Rates**

**4.4.1 Discount for Hearing Impaired Customers:**

A telephone toll message which is communicated using a telecommunications device for the deaf (TDD) by properly certified hearing or speech impaired persons or properly certified business establishments or individuals equipped with TDDs for communicating with hearing or speech impaired persons will receive, upon request, calls placed between TDDs. The credit to be given on a subsequent bill for such calls placed between TDDs will be equal to applying the evening rate during business day hours and the night/weekend rate during the evening rate period. Discounts do not apply to surcharges or per call add on charges for operator service when the call is placed by a method that would normally incur the surcharge.

**4.4.2 Operator Assistance for Handicapped Persons:**

Operator station surcharges will be waived for operator assistance provided to a caller who identified him or herself as being handicapped and unable to dial the call because of a handicap.

**4.4.3 Directory Assistance for Handicapped Persons:**

There shall be no charge for up to fifty calls per billing cycle from lines or trunks serving handicapped individuals. The Company shall charge the prevailing tariff rates for every call in excess of fifty within a billing cycle.

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